

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 10/664,867
Attorney Docket No.: Q77431

REMARKS

Claims 1-6 and 8-17 are all the claims pending in the application. By this Amendment, Applicant adds claims 16 and 17, which are clearly supported throughout the specification.

Preliminary Matter

As a preliminary matter, Applicant thanks the Examiner for indicating receipt of the certified copy of the priority document in the Advisory Action mailed March 27, 2006.

Prior Art Rejections and Statement of Substance of Interview

Claims 1-6 and 8-15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication No. 2003/0118015 to Gunnarsson (hereinafter “Gunnarsson”) in view of newly cited U.S. Publication No. 2004/0162022 to Lahetkangas (hereinafter “Lahetkangas”). Applicant respectfully traverses these grounds for a rejection in view of the following comments.

Applicant thanks the Examiner for the courteous telephonic interviews on October 25, 2006. The Statement of Substance of the Interview is as follows: During the interview independent claim 1 as being obvious over Gunnarsson in view of Lahetkangas was discussed. No agreement was reached. Applicant respectfully requests Examiner’s careful reconsideration in view of the following comments.

The present invention is directed to a technique for notifying a mobile telephone user of the availability of WLAN services. As described in the Background section of the application, a known technique would be to keep track of the location of the mobile telephone, compare this against a database of known WLAN locations, and send a message to the mobile phone user when there is a known WLAN in that location. At least one problem with this is that it is based

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on stored information, and it may be, e.g., that the WLAN is not actually operational or is otherwise unavailable. According to the invention, the user's mobile data terminal (i.e., the portable computer or other device that will connect to the WLAN) detects radio signals broadcast by the WLAN, and the mobile data terminal then sends a message to the mobile telephone notifying the user that a WLAN is available. Independent claims 1, 6, and 8 all include some variation of a mobile data terminal detecting signals broadcast by the WLAN, and informing of access to the WLAN by sending a signal from the mobile data terminal to the radiotelephone terminal.

Gunnarsson is not different from the prior art technique disclosed in Applicant's specification. That is, in Gunnarsson a mobile terminal 60 (a cellular phone), which communicates with a wireless communication network such as a TIA/EIA/IS-2000 network, and the user location is determined via the mobile terminal 60 (¶¶ 20 and 22). In Gunnarsson, the user location is then compared to the known location and extent of WLANs 20, e.g., from a database or other information resource within the communication network 10 (¶ 22). The wireless communication network then sends a message to the mobile telephone, as a result of which the WLAN interface in the personal computer can be activated to search for and connect to the WLAN (¶ 24).

Accordingly, it is clear that Gunnarsson does not detect the availability of the WLAN by having the mobile data terminal detect signals broadcast from the WLAN, but instead by having the mobile telephone network compare the mobile telephone location to known WLAN locations.

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Lahetkangas fails to cure the deficient disclosure of Gunnarsson. Lahetkangas relates to facilitating use of short-range communication by having the phone device automatically transmit information to other terminals (¶¶ 5-8). Specifically, Lahetkangas discloses that the short-range network may be used to advertise an access point with the help of proximity pages carried around by persons passing the access point (¶ 107). However, there is no disclosure or suggestion of detecting the availability of the WLAN by having the mobile data terminal detect signals broadcast from the WLAN. Instead, in Lahetkangas, the access points are advertised by providing information on the proximity pages, which are similar to Internet pages, and having this information being passed from device to device (¶¶ 50-52). In short, Lahetkangas does not cure the deficient disclosure of Gunnarsson.

For at least these exemplary reasons, claims 1, 6, and 8 are patentable over the combined disclosure of Gunnarsson and Lahetkangas. Therefore, Applicant respectfully requests the Examiner to withdraw this rejection of claims 1, 6, and 8 and their dependent claims 2-5 and 9-15.

New Claims

In order to provide more varied protection, Applicant adds claims 16 and 17, which are patentable at least by virtue of their dependency on claim 1.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

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Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


Nataliya Dvorson
Registration No. 56,616

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

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